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RECEIVED
JUN 24 2004 #7

IN THE UNITED STATES DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

OFFICE OF PETITIONS

FILING DATE:	03/29/2001	APPLICANT:	BROWN, Jerome
EXAMINER:	GORDON, Stephen T.	ART UNIT:	Not Assigned
SERIAL NO.:	09/821,314	ATTY REF. NO.:	10508/001
TITLE:	LAUNDRY CART		

The Honorable Commissioner of Patents and Trademarks
P.O. Box 1450
Alexandria, VA 22313-1450

**DECLARATION SUBMITTED PURSUANT TO 37 C.F.R. §1.137(a) &
PETITION UNDER 37 C.F.R. 1.181 FOR WAIVER OF EXTENSION FEES**

Remarks

A newly executed Power of Attorney is enclosed. Applicant petitions the Commissioner to revive the above-referenced application, as well as to waive any and all fees associated with extensions of time which may be required due to the circumstances outlined below.

This response is believed to incorporate all known fees outstanding that are not requested to be waived, and no further fees are known or believed to be due. However, in the event that this response and associated papers is/are untimely or any additional fees are due, or in the event that the request for waiver of fees is denied, then the Applicant respectfully requests the necessary extension and the Commissioner is hereby authorized and requested to charge deposit account 18-2210 any fees due in connection with same.

06/23/2004 AWONDAF1 00000089 09821314

01 FC:2452

55.00 0P

Requirements of 37 C.F.R. §1.137(a)

Reply

Applicant has enclosed a copy of the heretofore missing drawings, as well as a copy of the notice of incomplete reply.

Petition Fee

Applicant has enclosed herewith the requisite petition fee of \$55.00 for a small entity as required by 37 C.F.R. §1.17(l).

Showing of Unavoidability

Applicant has included below a showing to the Commissioner that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to this paragraph was unavoidable.

Terminal Disclaimer

Applicant is not aware of any Terminal Disclaimer required in the present application.

* * *

Declaration

The purpose of this declaration is to establish that the entire period of delay in responding to the August 29, 2001 Notice of Incomplete Reply in the above-referenced patent application was unavoidable. The person making this declaration is Mr. Jerome Brown, the inventor of the material contained in the above-referenced application.

As evidenced by the below narrative, the delay was unavoidable since reasonable care was taken to ensure that the patent would be prosecuted properly and timely and that this petition was filed promptly after the Applicant became aware of the abandonment of this application.

Steps taken to ensure timely response

Applicant contacted his former patent attorney, Joseph N. Breaux, and received his initial written contact from Mr. Breaux on or around January of 2000. Mr. Breaux then drafted and filed a provisional patent application for Applicant on or around March 30, 2000, which was assigned serial number 60/193,290.

Mr. Breaux contacted Applicant on or around November 20, 2000 to inform him that the above-referenced Provisional patent application needed to be converted prior to the deadline of March 30, 2001. (See Exhibit "A") Applicant responded and told Mr. Breaux to convert/file the regular utility application on March 25, 2001. Mr. Breaux subsequently converted the '290 provisional application into a regular utility patent, which was accorded a filing date of March 25, 2001, and a serial number of 09/821,314.

Applicant was informed by Mr. Breaux in a letter on June 8, 2001 of the May 9, 2001 Notice to File Missing Parts issued in the Applicant's regular application, and Mr. Breaux instructed the Applicant to sign a Declaration/Power of Attorney and a Small Entity statement, as requested by the Notice. However, Mr. Breaux failed to notify Applicant of the required drawing corrections as indicated in the Notice to File Missing Parts. (See Exhibit "B") Applicant was of the understanding that any additional requirement; including the filing of new drawings, would be handled by Mr. Breaux. Applicant dutifully sent those documents requested, namely, the declaration and small entity statement, to Mr. Breaux on or around June 19, 2001.

When Mr. Breaux received the August 29, 2001 Notice of Incomplete Reply, Mr. Breaux did not notify Applicant of same, nor did he prepare a response to the Notice. As such,

Applicant was never advised that action was required on his part, and so took no further action with regard to responding to the office action. Applicant expected to hear from his attorney when the next action was required, as had been the practice between Mr. Breaux and Applicant.

As is obvious, no response was known to be filed by Mr. Breaux on behalf of the Applicant. Subsequently, a Notice of Abandonment was sent on October 24, 2003. Mr. Breaux also failed to provide Applicant with a copy of this Notice.

Date and the manner in which patentee became aware of the abandonment

While the present application was pending, and particularly in August, 2003, Mr. Breaux visited his doctor complaining of shortness of breath. Mr. Breaux's physician immediately admitted him to the hospital where he spent three weeks for, *inter alia*, his heart conditions and shortness of breath. It was at that time that Mr. Breaux learned that he had suffered a series of heart attacks; the diagnosis being 100% blockage in two of his arteries and 95% blockage in a third. Mr. Breaux has lost 80% of his heart's function and now requires a heart transplant.

When Mr. Breaux was released from the hospital, he returned to work (he was a sole practitioner), but has reported that he could only work for short periods of time and on intermittent days. Mr. Breaux did not keep up with his workload nor tend to the backlog that had grown in his absence. Unfortunately, Mr. Breaux never informed the applicant of his declining health, and failed to tend to over 1,000 other files that were in his care. In December 2003, Mr. Breaux completely ceased his practice.

Since the closure of his practice, Mr. Breaux has requested to be removed from the rolls of patent attorneys authorized to practice before the PTO. Additionally, the Louisiana Supreme

Court has placed Mr. Breaux on voluntary medical suspension from the practice of law as of March 10, 2004. (See Exhibit "C")

As a result of his suspension, Chief Judge Caldwell of the 19th Judicial District Court of Louisiana appointed William David Kiesel, (USPTO Registration Number 25,883)¹ curator of Mr. Breaux's files, in order for Mr. Breaux's clients to be informed of the status of their files. Upon receipt of these files, Mr. Kiesel discovered there were two boxes of files containing correspondence from the Patent Office that were never opened; in addition there were over 1,000 clients that had to be contacted regarding their cases. There have been several hundred cases in which an Office Action had been received by Mr. Breaux and Mr. Breaux had either not informed the client of the Office Action or informed the client that he would file a response and failed to do so.

The above-referenced applicant is one of Mr. Breaux's former clients, and the above-referenced application is one of the many matters that had gone unattended. The client was neither apprised of Mr. Breaux's health problems nor aware of Mr. Breaux's retirement. Significantly, the applicant was never informed by Mr. Breaux of the issuance of the August 29, 2001 Notice of Incomplete Reply by the Patent Office.

Mr. Kiesel was appointed curator of Mr. Breaux's files on the 15th of March, 2004. (See Exhibit "D") Although Judge Caldwell did not sign the order appointing Mr. Kiesel as curator until March 15, 2004, he orally asked Mr. Kiesel to serve as curator in early March, 2004. Mr. Kiesel shortly thereafter began preliminary review of the 1,000+ files that were to be delivered to his office, and sent a letter to the applicant on or around March 12, 2004 (Exhibit "E").

¹ Neil J. Coig (USPTO Reg. No. 48,929), signatory to this petition/submission, is an associate with Mr. Kiesel.

Steps taken to file the petition promptly

Once contact has been established with the applicant, Mr. Kiesel reviewed the applicant's file in detail at the applicant's request and sent a letter to the applicant on or around the 14th of April, 2004. At this time, Mr. Kiesel reported the nature of the response required, and the cost of performing the same. Once made aware of this outstanding obligation, the applicant acted immediately by authorizing the preparation and submission of this petition and the attached response shortly after, on or around April 27, 2004.

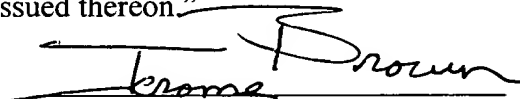
It is clear from the above explanation that petitioner has shown that the delay in responding to the notice of incomplete reply was unavoidable. Therefore, it is requested that the Commissioner accept the late response and reinstate the '314 patent application. Further, while Mr. Breaux's health issues are certainly unfortunate, the applicant should not be penalized for the misfortune of his former patent attorney. In light of these extenuating circumstances, applicant respectfully requests that any extension fees due for filing a response be waived, since quite obviously, conditions beyond the applicant's control prevented a timely response to the above-referenced Office Action.

CONCLUSION

Based on the above amendments and remarks, applicant believes that all of the claims in the case are allowable and an early Notice of Allowance is respectfully requested. If the Examiner believes a telephone conference will expedite the disposition of this matter, he/she is respectfully invited to contact this attorney at the number shown below.

"I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true: and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that any such willful false statement may jeopardize the validity of this application or any patent issued thereon."

SIGNED:



Jerome Brown

DATE:

06-08-2004

Attorney Contact Information

Neil J. Coig • Reg. No. 48,929

ROY, KIESEL, KEEGAN, & DeNICOLA

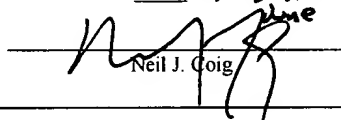
2355 Drusilla Lane • Baton Rouge, Louisiana 70809

Telephone: (225)927-9908 • Facsimile: (225)926-2685

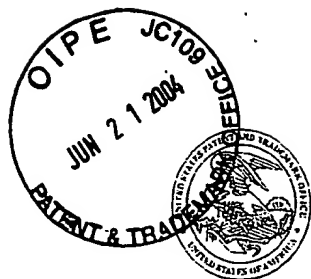
E-Mail: njc@rkkdlaw.com • URL: <http://www.rkkdlaw.com>

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service, in an envelope addressed to: The Honorable Commissioner of Patents and Trademarks, P.O. Box 1450, Alexandria, VA 22313-1450 on this 16 day of May, 2004.



Neil J. Coig



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/821,314	03/29/2001	Jerome Brown	99-123412

CONFIRMATION NO. 2266

FORMALITIES LETTER

RECEIVED

JUN 24 2004

OFFICE OF PETITIONS



OC000000006490195

Joseph N. Breaux
Suite A
10630 N. Oak Hills Pkway
Baton Rouge, LA 70810

Date Mailed: 08/29/2001

NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Filing Date Granted

The U.S. Patent and Trademark Office has received your reply on to the Notice mailed and it has been entered into the nonprovisional application. The reply, however, doesnot include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application.

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

A copy of this notice MUST be returned with the reply.

Request woldeyes
Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



UNITED STATES PATENT AND TRADEMARK OFFICE

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Page 1 of 1

JUN 24 2004

OFFICE OF PETITIONS
UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/821,314	03/29/2001	Jerome Brown	99-123412

Joseph N. Breaux
Suite A
10630 N. Oak Hills Pkwy.
Baton Rouge, LA 70810

CONFIRMATION NO. 2266
ABANDONMENT/TERMINATION
LETTER

OC000000011098324

Date Mailed: 10/24/2003

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 08/29/2001.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

A copy of this notice MUST be returned with the reply.


Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/821,314	
	Filing Date	03/29/01	
	First Named Inventor	Jerome Brown	
	Art Unit		
	Examiner Name		
Total Number of Pages in This Submission	20	Attorney Docket Number	10508.001

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JUN 24 2004

OFFICE OF PETITIONS

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input checked="" type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Notice of Incomplete Reply 1 pg., Notice of Abandonment, 1 pg. Exhibits A, B, C, D, E
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	Neil J. Coig	
Signature		
Date	06/16/04	

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Sue Butler		
Signature		Date	06/16/04

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 55.00

Complete if Known

Application Number 09/821,314

Filing Date 03/29/01

First Named Inventor Jerome Brown

Examiner Name

Art Unit

Attorney Docket No. 10508.001

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JUN 24 2004

OFFICE OF PETITIONS

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

Deposit
Account
Number
Deposit
Account
Name

18-2210

Roy, Kiesel, et al

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims	Fee from below	Fee Paid
Total Claims	-20** =	X	
Independent Claims	-3** =	X	
Multiple Dependent			

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	55.00
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 55.00

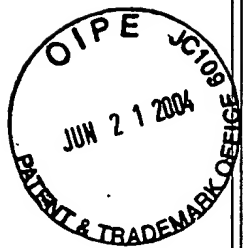
SUBMITTED BY

Name (Print/Type) Neil J. Cog Registration No. 48,929 Telephone 225-927-9908
Signature Date 06/16/04

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES OF AMERICA **RECEIVED**

PATENT AND TRADEMARK OFFICE JUN 24 2004

OFFICE OF PETITIONS

APPLICANT: Jerome Brown SERIAL NO.: 09/821,314
FILED: 03/29/01 DOCKET NO.: 10508.001
TITLE: LAUNDRY CART

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING

I hereby certify that the following paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450:

- Petition to Revive/Waiver of Extension Fees including Exhibits A, B, C, D, and E (12 pages);
- Notice of Incomplete Reply (Nonprovisional), (1 page);
- Notice of Abandonment, (1 page);
- Drawing, (1 page);
- Power of Attorney; (1 page);
- Transmittal Form;
- Fee Transmittal Form;
- Check No. 42600 in the amount of \$55.00;
- Certificate of Mailing; and
- Stamped Return Postcard.

June 16, 2004
Date

Sue Butler
Sue Butler



JOSEPH N. BREAUX
REGISTERED PATENT ATTORNEY
10630 N. OAK HILLS PKWY • SUITE A
BATON ROUGE, LOUISIANA 70810

(225) 769-8500

FAX: (225) 768-7394

November 20, 2000

Mr. Jerome Brown
5030 Lisa Avenue
San Diego, CA 92102


RE: Provisional Application Serial No.: 60/193,290

Dear Mr. Brown:

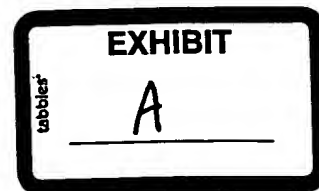
This letter is to remind you that your above referenced provisional application will expire on **March 30, 2001**. In order to take advantage of the filing date of your provisional application, you must convert your provisional application into a full utility patent application prior to this date. This does not mean, however, that you can not file a full utility patent application after this date. You should call me or another patent attorney if you have any questions about your deadline for filing a full utility patent application.

Please contact me as soon as possible if you are interested in converting your provisional patent application into a full utility patent application. My fee for converting most provisional applications and prosecuting the resulting full utility patent application is \$2,000.00. If you would like to find out what the fees are for converting and prosecuting your provisional application, please call our office. We will be glad to review your file and send you a complete cost breakdown.

Sincerely,


Joseph N. Breaux

JNB:ahg



JOSEPH N. BREAU
REGISTERED PATENT ATTORNEY
10630 N. OAK HILLS PKWY • SUITE A
BATON ROUGE, LOUISIANA 70810

(225) 769-8500

June 8, 2001

FAX: (225) 768-7394

**SENT VIA U.S. FIRST CLASS MAIL
AND CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7192 9730 1099 2973 2859**

Mr. Jerome Brown
5030 Lisa Avenue
San Diego, CA 92102

Re: Response to Patent Office Notice

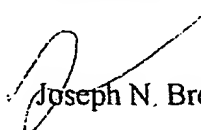
Dear Mr. Brown:

Enclosed please find the Notice to the File Missing Parts of your utility patent application. These parts were not filed with your application because of time constraints. Please sign and date the indicated Combined Declaration and Power of Attorney and the Verified Statement Claiming Small Entity Status where indicated. You should then make out a check in the amount of \$130.00 payable to the "Commissioner of Patents" to cover the charges required for filing these documents late.

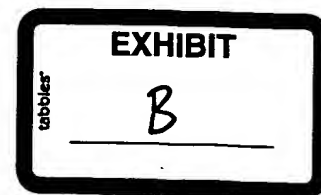
Also, enclosed is a copy of the retainer agreement. You should initial where indicated at the bottom of each paragraph, the bottom of each page, and sign and date the last page where indicated. You should return the signed retainer along with the above mentioned documents and check in the enclosed envelope by July 1, 2001.

If you have any questions, please feel free to give me a call

Sincerely,


Joseph N. Breau

JNB:ahg
Enclosures





SUPREME COURT OF LOUISIANA

NO. 04-OB-0518

IN RE: JOSEPH NICHOLAS BREAUX

ORDER

Considering the Joint Petition for Transfer to Disability Inactive Status filed by respondent, Joseph Nicholas Breaux, and the Office of Disciplinary Counsel,

IT IS ORDERED that Joseph Nicholas Breaux, Louisiana Bar Roll number 22271, be and he hereby is transferred to disability inactive status pending further orders of this court. All disciplinary proceedings in this matter shall be deferred until such time as respondent resumes active status.

Pursuant to Supreme Court Rule XIX, § 26(E), this order shall be effective immediately.

NEW ORLEANS, LOUISIANA, this 10th day of March, 2004.

FOR THE COURT:


JUSTICE, SUPREME COURT OF LOUISIANA

EXHIBIT

C

O R D E R

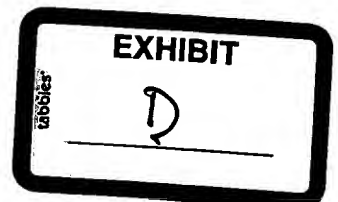
IT IS HEREBY ORDERED that William David Kiesel
be, and he is hereby appointed Curator, per the request
of the Office of the Disciplinary Counsel to inventory the
files of Joseph Nicholas Breaux, and to take such actions as
seems indicated to protect the interests of his clients.
Costs of such inventory, if any, should be reported to
the Office of the Disciplinary Counsel by you for payment.

READ, RENDERED, AND SIGNED, this 15th day of
March, 2004.

R. Michael Caldwell
JUDGE R. MICHAEL CALDWELL
CHIEF JUDGE
19TH JUDICIAL DISTRICT COURT

19TH JUDICIAL DISTRICT COURT

BEST AVAILABLE COPY





ROY, KIESEL, KEEGAN & DeNICOLA
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DAVID A. LOWE
NITI DUGGAL

March 12, 2004

Mr. Jerome Brown
5030 Lisa Avenue
San Diego, CA 92102

Re: U.S. Patent Application S. N. 09/821,314
Title: LAUNDRY CART
Our File: 10464.000[BROWN]

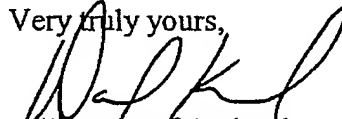
Dear Mr. Brown:

This is to inform you that because of severe health problems Mr. Joseph N. Breaux has been placed on Voluntary Inactive Status by the Louisiana Supreme Court and at this time is no longer authorized to practice law in the State of Louisiana. For the same health reasons Mr. Breaux has requested that his name be removed from the roles of attorneys authorized to practice before the U.S. Patent & Trademark Office. As a result of these actions Mr. Breaux is no longer able to practice law and can not represent you before the U.S. Patent & Trademark Office.

I am the court appointed curator of the client files of Joseph N. Breaux. Pursuant to this appointment I have obtained possession of the files in which Mr. Breaux was providing legal services to you. **No review has been made of the files to determine what, if any, action is now required.** However, there may be some action required, and it is possible that the time delays for certain actions to have been taken have expired. **For this reason it is important that you obtain new counsel to represent you in this matter.**

If you wish our office to review your files and advise you what action, if any, is needed, then it would be necessary to retain me for that purpose. We will charge a flat fee of \$250.00 to make this review. If you wish to do so, please contact me. However, if you prefer to retain other counsel or simply prefer that your files be returned to you, then confirm **in writing** to whom and where the files are to be mailed.

Very truly yours,



William David Kiesel

WDK:srj

